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S E C R E T SECTION 01 OF 03 MANILA 000641

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TAGS: [PGOV](#) [PREL](#) [PTER](#) [MARR](#) [PINR](#) [RP](#)

SUBJECT: HOUSE SPEAKER AND SENATE PRESIDENT ON "CHA-CHA,"
ANTI-TERROR BILL, VFA

REF: A. MANILA 306

[B. MANILA 0283](#)

[C. 05 MANILA 4662](#)

[D. 05 MANILA 4140](#)

Classified By: Charge d'Affaires, a.i., Paul W. Jones for
reasons 1.4 (b) and (d)

[1](#)1. (S) Summary: In a January 30 meeting with Charge, House Speaker De Venecia expressed confidence that the GRP would amend the Constitution and switch to a parliamentary form of government by July 2006 by means of a referendum. De Venecia was optimistic that the House would pass an anti-terrorism bill soon, and indicated that whether the Visiting Forces Agreement (VFA) Oversight Committee recommendation to abrogate the VFA is considered by the full House or Senate depends on the "political atmosphere." (Note: After visiting the accused Marines at the U.S. Embassy on February 9, the co-chairs of the Oversight Committee publicly withdrew their recommendation to abrogate the VFA -- see ref B. End Note.) De Venecia expressed disappointment that the U.S. had objected to government plans to impose "emergency rule" to deal with the NPA threat.

[1](#)2. (C) In a February 7 meeting with Charge, Senate President Drilon underscored his support for anti-terrorism legislation, but noted that two draft Senate bills needed to be reconciled, which might take some time. He said he had heard of no discussion in the Senate about moving forward now with a resolution to abrogate the VFA. End Summary.

JDV: Plan for Parliament by July

[1](#)3. (C) During a January 30 meeting with Charge, House Speaker Jose De Venecia (JDV) expressed confidence that the Philippine Congress would push through "Charter change" by July 2006. (Note: "Charter change" or "Cha-Cha" is an informal term that Filipinos use for Constitutional change. The centerpiece of proposed amendments would change the current presidential setup into a unicameral parliamentary system -- see ref D. The office of the President would likely continue until the end of the incumbent's term in [1](#)2010. End Note.) He admitted that the Senate -- which stands to be abolished under most "Cha-Cha" plans -- would resist such change or delay indefinitely, but expressed confidence that it would nonetheless be possible to move forward quickly by means of a national referendum, known as a "People's Initiative." He laid out an ambitious timeline to change to a parliamentary system by July 2006. JDV said he

and his supporters would start in February to get the word out and collect the required five million signatures (12 percent of all registered voters) needed to propose a "People's Initiative." A national referendum would be held in June, with a new Parliament, composed of current members of the House and Senate, installed by July.

¶4. (C) JDV noted that the Constitution allows for only one subject to be raised via such a referendum every five years. Therefore, JDV's plan was to put only one subject on the ballot, but with two questions: should the Philippines switch to a parliamentary system?; and, should elections for it be held in 2007 (the timeframe when mid-term elections are now slated to be held) or be postponed until 2010? JDV said that he personally favors holding elections in 2007 as scheduled, but that a political compromise was reached on putting the matter to the people. Other proposed Constitutional changes, such as removing restrictions on foreign ownership of land and media, would be taken up as first order of business by the Parliament.

¶5. (C) JDV said he hoped to have a new parliament in place before the Opposition can file a new impeachment complaint against President Arroyo, i.e., one year from the July 25, 2005, filing of impeachment charges against her. JDV claimed that having a Parliament in place before this date could forestall a new impeachment complaint against the President. He expressed concern that another impeachment effort could be politically destabilizing for the country.

Anti-Terror Bill, VFA

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¶6. (C) De Venecia noted that he strongly supported the passage of anti-terrorism legislation. He said the House version of a draft anti-terrorism bill was now in its third (and final) reading. JDV noted that the House version of the draft bill provided definitions of terrorism, in addition to specifying terrorist actions, but said he was flexible on the definitions if they proved to be contentious. The consolidated draft version being reviewed in the Senate did not contain definitions of terrorism. Nonetheless, JDV commented, he did not think that these differences would cause serious problems when the differing bills eventually were discussed in a House/Senate bicameral conference committee meeting.

¶7. (C) JDV explained that the joint House/Senate Oversight Committee on the VFA could bring to the floor at any time its non-binding resolution to abrogate the VFA, depending on the "political atmosphere." (Note: After visiting the accused Marines at the Embassy on February 9, the co-chairs of the VFA Oversight Committee withdrew their recommendation to abrogate the VFA -- see ref B. End Note.) JDV admitted that domestic politics were in play and the left was pressing the matter hard. Charge noted that accusations that the U.S. did not respect the Philippine judicial system were belied by recent U.S. extraditions of American citizens to the Philippines. JDV requested details on these cases, which Mission later provided.

Emergency Rule & Domestic Politics

¶8. (S) In a tone of friendly exasperation, JDV told Charge that "emergency rule" was needed to deal with the threat posed by the New People's Army (NPA), but the U.S. "keeps saying no." JDV said the government needed special powers to arrest individuals in the media and elsewhere who are paid and controlled by the NPA, but he left the clear impression that the idea of "emergency rule" was dead. On domestic politics, JDV described himself as the "balancer" between

President Arroyo and former President Ramos. He claimed that much of President Arroyo's inability to gain popular support was due to antipathy toward her husband, Mike Arroyo, who is perceived as involved in corruption and gambling. Whatever happens, he concluded, President Arroyo will never give up power before 2010.

Drilon on Anti-Terrorism Legislation...

¶9. (C) In his February 7 meeting with Senate President Franklin Drilon, Charge asked about the status of draft anti-terrorism legislation in the Senate. Drilon underscored that he was in favor of such legislation. He added that he had asked Senator Manuel Villar to review a proposed anti-terrorism bill recently filed by Senator Juan Ponce Enrile and compare it to the consolidated draft bill that the Senate was already reviewing. Drilon said Enrile's bill was well worth reviewing, but, even more importantly, it was critical that Enrile support this type of legislation due to his long-standing national security credentials as a former Secretary of National Defense and as a well-known lawyer. It

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would be very positive, for example, if Enrile was the one who introduced an agreed-on bill on the floor. (Note: Enrile's draft bill is similar to the consolidated draft, but it contains stricter penalties and contains definitions of terrorism, in addition to listing terrorist acts. End Note.)

Drilon related that reconciling the two draft bills might take some time, but the process should be complete by early this year. Once the Senate and House passed their bills, the two sides would meet in a bicameral conference meeting and agree to a final bill to take back to each chamber for a vote.

¶10. (C) Drilon noted that there was some concern among senators, such as Aquilino Pimental and Joker Arroyo, over civil liberty protections in any such legislation. He added that the proposals were also being discussed in a "poisoned atmosphere" due to allegations that the military was being used by Malacanang to conduct wiretapping on Opposition legislators and others (ref A). Charge noted that the U.S. supported effective legislation in this area that also

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protected civil liberties.

...And on VFA

¶11. (C) Asked about the VFA, Drilon responded that he had heard no discussion in the Senate of moving forward with a resolution that would demand abrogation of the Visiting Forces Agreement (VFA). He had checked with Francis Pangilinan, Majority Leader of the Senate, who indicated that the matter was not on the Senate's agenda at this time. Drilon added that the matter might nonetheless arise in the Foreign Relations Committee, which was headed by Senator Miriam Santiago-Defensor, who had played a key role in pushing forward the Oversight Committee's January 19 resolution.

Comment

¶12. (C) JDV and Drilon basically made all the right sounds regarding the need for an anti-terrorism bill, which was positive. Very few observers share JDV's optimism that the change to a parliamentary system can be accomplished by July, but JDV is a determined operator who will no doubt try. Drilon -- now an opponent of President Arroyo's -- did not say much about Constitutional change, except to assert, in

concert with JDV, that President Arroyo will never agree to relinquish power before the end of her term in 2010.

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